



MEMORANDUM  
Harvey Ruvlin  
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Clerk of the Board of County Commissioners  
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COSHAC  
Agenda Item No 6 (A)  
February 09, 2005

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TO: Honorable Commissioner Sosa  
and Members of the  
Community Outreach, Safety, and  
Healthcare Administration Committee

DATE: January 30, 2005

FROM: Kay M. Sullivan, Director  
Clerk of the Board

SUBJECT: Approval of Commission  
Committee Minutes



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The following Clerk's Summary of Minutes is submitted by the Clerk of the Board for approval by the  
Community Outreach, Safety, and Healthcare Administration Committee.

➤ December 7, 2004

Attachment  
KMS/msy



Stephen P. Clark  
Government Center  
111 N.W. 1st Street  
Miami, FL 33128

# CLERK'S SUMMARY OF Meeting Minutes Public Safety Committee

Dorrin D. Rolle (2), Chairperson; Barbara Carey-Shuler (3), Vice Chairperson;  
Commissioners Sally A. Heyman (4), Barbara J. Jordon (1), Natacha Seijas (13), and  
Javier D. Souto (10)

**Tuesday, December 7, 2004**

**2:00 PM**

**COMMISSION CHAMBER**

**Members Present:** Dr. Barbara Carey-Shuler, Sally A. Heyman, Barbara J. Jordan, Dorrin D. Rolle, Natacha Seijas, Javier D. Souto.

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

## 043331 Report

NOTE: THE PORTION OF EACH RESOLUTION  
REFLECTING COMMISSIONERS' VOTES WILL BE  
UPDATED FOR THE NEXT COUNTY COMMISSION  
MEETING.

## INVOCATION

**Report:** *Chairman Rolle asked everyone to observe a  
moment of silent meditation.*

## PLEDGE OF ALLEGIANCE

## ROLL CALL

**Report:** *In addition to Committee members, BCC  
Chairman Martinez was also present. The  
following staff members were present: Assistant  
County Manager Susanne Torriente and Assistant  
County Attorney Daron Fitch.*

## 1A SPECIAL PRESENTATIONS

1A1

**043336 Special Presentation**

SPECIAL PRESENTATION RE: CITY OF DORAL  
LOCALIZED POLICE SERVICES DELIVERY (ISSUES  
RAISED BY THE COUNTY MANGER'S LETTER DATED  
NOVEMBER 8, 2004)

*Not presented*

**1B      CHAIR'S REPORT(S)**

**1C      DISCUSSION ITEM(S)**

1C1

**043252 Discussion Item****DISCUSSION ITEM : PERTAINING TO THE USE OF  
TASERS (Miami-Dade Police Department)*****Presented***

**Report:** *Following Chairman Rolle's brief overview of the foregoing proposed discussion item and its accompanying resolution regarding the development of policy relating to the use of tasers, he requested Miami-Dade Police Department (MDPD) Director Robert Parker forth to discuss the MDPD's existing policy governing the use of tasers.*

*After expressing his appreciation for an opportunity to present MDPD's position on tasers, Director Robert Parker initiated a PowerPoint presentation during which he highlighted important points relating to the use of tasers by the MDPD. Mr. Parker noted tasers were designed to emit pain for five seconds to change aggressive behavior to passive behavior. He explained that officers were required to attend a 40-hour Crisis Intervention Team (CIT)-type program designed to help them deal with mental health issues related to the use of tasers.*

*Continuing, Mr. Parker noted tasers had been deployed by MDPD officers 253 times—18 of which involved children. He said out of 253 incidents, only one resulted in an injury.*

*Mr. Parker noted the MDPD currently had a taser policy in place, and an ongoing review of MDPD's taser policies and procedures was being conducted by the Community Relations Board (CRB), Medical Examiner, Federal Department of Law Enforcement (FDLE), and other community forums for continuous updating. He also noted as a result of the use of tasers, the number of officers injured in the line of duty decreased from 61% to 48% and the number of suspect injuries decreased from 86% to 62%.*

*In response to Commissioner Carey-Shuler's inquiry, Mr. Parker noted that the policy governing the use of tasers should always depend on a combination of size, age, weight, the seriousness of the incident, and an individual's apparent ability to physically challenge the officer or do harm to himself or others.*

*Commissioner Carey-Shuler asked that Miami-*

**Public Safety Committee**

**CLERK'S SUMMARY OF**

**Meeting Minutes**

**Tuesday, December 07, 2004**

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*Dade Police Department (MDPD) Director Robert Parker consult with Miami-Dade Public Schools Superintendent, Dr. Rudy Crew, to establish protocol/procedures for the use of tasers in jurisdictions that overlap Miami-Dade County. She also asked that the MDPD Taser Committee Task Force develop a comprehensive policy governing the use of tasers to include restrictions on the use of tasers on children. She asked that a report outlining this policy be presented at the January 11, 2005 PSC meeting. Commissioner Carey-Shuler further requested MDPD Director Parker to conduct research to determine whether taser manufacturers could attach a camera to the devices and if not, whether MDPD officers could be equipped with cameras/camcorders and be required to record each incident involving the use of a taser.*

*Commissioner Jordan asked that Miami-Dade Police Department (MDPD) Director Robert Parker provide her with a report outlining the number of law enforcement agencies throughout the U.S. that had existing policies governing tasers and specifying whether those policies contained restrictions governing the use of tasers on children. She asked that this report also include an analysis on the probability of long-term illnesses associated with tasers and include the percentage by which the use of tasers prevented injuries.*

*Commissioner Heyman asked MDPD Director Robert Parker to consult the MDPD's Legal staff regarding the potential liability with development of the policy regarding taser devices and to ensure that exceptions to the criteria established relating to restricting the use of tasers were clearly defined.*

*Rev. Jerome Starling, 200 South Biscayne Boulevard, Miami, appeared before the Board and expressed concern regarding the incident involving the MDPD's use of a taser on a 6-year-old. He indicated that pediatric doctors were also strongly opposed to the use of tasers on children. Mr. Starling recommended that a study be conducted to identify the physical and psychological effects of tasers on children.*

*Hearing no objection, the Public Safety Committee (PSC) deferred the foregoing proposed resolution to the next PSC meeting scheduled for January 11, 2005, at 2:00 p.m., pending the*

Public Safety Committee

CLERK'S SUMMARY OF

Meeting Minutes

Tuesday, December 07, 2004

*MDPD Taser Committee Task Force's  
development of a comprehensive policy relating to  
the use of tasers by the MDPD.*

1C2

043380 Discussion Item

Sally A. Heyman

DISCUSSION ITEM: PERTAINING TO DJJ COST SHIFTS

**Presented**

**Report:** *Assistant County Attorney read the foregoing  
proposed report into the record.*

*Commissioner Heyman noted that Representative  
Gustavo Barreiro was present earlier in  
connection with this report; but that he had to  
leave due to time constraints. She stated that the  
State Legislature would do a 2/3 vote to shift the  
costs of everything back and that a proposal had  
been developed to address the funding crisis faced  
by the County and State governments.*

*Commissioner Heyman noted that Miami-Dade  
County had sufficient time to propose alternatives  
to the State Department of Juvenile Justice (DJJ)  
cost shifts prior to Representative Barreiro  
meeting with Supreme Court Chief Justice  
Barbara J. Pariente and Administrators with  
regards to this issue.*

**2 COUNTY MANAGER'S REPORT(S)**

**3 COUNTY COMMISSION**

3A

**043262 Resolution****Sally A. Heyman**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE AND FIRE RESCUE DEPARTMENTS FOR THE UNITED CHINESE ASSOCIATION OF SOUTH FLORIDA'S SECOND ANNUAL SOUTH FLORIDA DRAGON BOAT FESTIVAL IN AN AMOUNT NOT TO EXCEED \$14,000

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Jordan*

*Vote: 4-0*

*Absent: Souto, Carey-Shuler*

**Report:** *Assistant County Attorney Fitch read the foregoing proposed resolution into the record.*

*Commissioner Heyman spoke in support of the resolution and provided a brief overview regarding the rate adjustments for the Miami-Dade County Police and Fire and Rescue Department.*

*Commissioner Seijas expressed concern regarding the funding source for the United Chinese Association of Florida's Dragon Boat Festival event and asked that the County Manager provide her with the balance remaining in the District Discretionary Reserve Funds. She asked that the County Manager indicate in the report whether the event would be funded from the District Discretionary Reserve Funds or from Countywide General funds.*

*Hearing no further discussion, the Committee proceeded to move the item forward to the BCC with a favorable recommendation.*

3B

**043309 Resolution****Dennis C. Moss,****Natacha Seijas**

RESOLUTION DIRECTING THE COUNTY MANAGER TO PERFORM A STUDY AND SUBMIT A WRITTEN REPORT, INCLUDING RECOMMENDATIONS, ON MIAMI-DADE POLICE DEPARTMENT'S INTERACTION WITH PERSONS SUFFERING FROM MENTAL ILLNESS AND TO INCORPORATE THESE RECOMMENDATIONS INTO A PROGRAM TO BE KNOWN AS "THE MIAMI-DADE COUNTY POLICE DEPARTMENT MENTAL ILLNESS INTERVENTION PROGRAM"

*Amended*

*Mover: Heyman*

*Seconder: Jordan*

*Vote: 4-0*

*Absent: Souto, Carey-Shuler*

**Report:** *(See Agenda Item 3B Amended, Legislative File No. 043448)*

3B Amended

**043448 Resolution****Dennis C. Moss,**

**Sally A. Heyman, Natacha Seijas, Katy Sorenson**  
RESOLUTION DIRECTING THE COUNTY MANAGER TO PERFORM A STUDY AND SUBMIT A WRITTEN REPORT, INCLUDING RECOMMENDATIONS, ON MIAMI-DADE POLICE DEPARTMENT'S INTERACTION WITH PERSONS SUFFERING FROM MENTAL ILLNESS AND TO INCORPORATE THESE RECOMMENDATIONS INTO A PROGRAM TO BE KNOWN AS "THE MIAMI-DADE COUNTY POLICE DEPARTMENT MENTAL ILLNESS INTERVENTION PROGRAM" [SEE ORIGINAL ITEM UNDER FILE NO. 043309]

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Heyman*

*Seconder: Jordan*

*Vote: 4-0*

*Absent: Souto, Carey-Shuler*

**Report:** *Assistant County Attorney Fitch read the foregoing proposed resolution into the record.*

*Commissioner Seijas recommended that the foregoing proposed resolution be amended to provide that the County Manager shall present his written findings in the form of a report to the Board of County Commissioners in no less than 30 days from the effective date of this resolution, in lieu of the 120 days indicated in the resolution.*

*The Committee forwarded the foregoing proposed resolution to the BCC as amended as recommended by Commissioner Seijas.*

*Commissioner Seijas recommended that the foregoing proposed resolution be amended to provide that the County Manager shall present his written findings and report to the Board of County Commissioners in no less than 30 days from the effective date of this resolution in lieu of the 120 days.*

3C

**043322 Resolution****Joe A. Martinez**

RESOLUTION AMENDING R-988-A-01 DIRECTING THE COUNTY MANAGER TO PROVIDE A REPORT TO COUNTY COMMISSION ON A SEMI-ANNUAL BASIS RATHER THAN A QUARTERLY BASIS IDENTIFYING SURPLUS CELLULAR PHONES FOR USE IN THE DIAL-A-LIFE PROGRAM

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Rolle*

*Vote: 4-0*

*Absent: Carey-Shuler, Souto*

3D

**043277 Resolution****Dr. Barbara Carey-Shuler,****Barbara J. Jordan, Dorrin D. Rolle**

RESOLUTION REQUESTING COUNTY MANAGER TO DIRECT MIAMI-DADE POLICE DEPARTMENT TO DEVELOP A COMPREHENSIVE POLICY RELATING TO THE USE OF TASERS AND TO REFRAIN FROM USING THEM ON MINORS EXCEPT IN LIFE-THREATENING SITUATIONS

*Deferred to next committee meeting*

**Report:** *(See report under Agenda Item 1C1; Legislative File No. 043252.)*

*Hearing no objection, the Public Safety Committee (PSC) deferred the foregoing proposed resolution to the next PSC meeting scheduled for January 11, 2005, at 2:00 p.m., pending the MDPD Taser Committee Task Force's development of a comprehensive policy relating to the use of tasers by the MDPD.*

**4 DEPARTMENT**

4A

**042934 Ordinance**

ORDINANCE AMENDING SECTIONS 8CC-2, 8CC-3, 8CC-4, 8CC-5 AND 8CC-6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXTENDING THE TERM OF HEARING OFFICERS TO TWO YEARS; CREATING A RIGHT TO APPEAL THE IMPOSITION OF CONTINUING PENALTIES AND SETTING THE PROCEDURE THEREFOR; PROVIDING FOR CODE ENFORCEMENT OFFICER TO RECORD THE CIVIL VIOLATION NOTICE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Team Metro)

*Forwarded to BCC with a favorable recommendation**Mover: Jordan**Seconder: Heyman**Vote: 4-0**Absent: Souto, Carey-Shuler*

**Report:** *Assistant County Attorney Fitch read the foregoing proposed public hearing ordinance into the record.*

*The public hearing was opened by Chairman Rolle; however, having no one appear in connection with this ordinance, the public hearing was closed.*

## 4A SUPPLEMENT

**043372 Report**

FISCAL IMPACT STATEMENT TO ORDINANCE AMENDING SECTIONS 8CC-2, 8CC-3, 8CC-4, 8CC-5 AND 8CC-6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXTENDING THE TERM OF HEARING OFFICERS TO TWO YEARS; CREATING A RIGHT TO APPEAL THE IMPOSITION OF CONTINUING PENALTIES AND SETTING THE PROCEDURE THEREFOR; PROVIDING FOR CODE ENFORCEMENT OFFICER TO RECORD THE CIVIL VIOLATION NOTICE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**Report Received**

**Report:** *Commissioner Seijas expressed concern regarding the consequence of discouraging lower income citizens from appealing penalties for code violations.*

*Discussion ensued among Committee and staff members regarding the proposed appeals process and its associated costs.*

*Team Metro Director Sammie Walthour advised Committee members that the proposed appeals process allowed violators to appeal continuing penalties. He noted that it was common practice for the department to negotiate and reduce penalty amounts once violators came in to pay the fine.*

*Hearing no further discussion, the Committee proceeded to move the item forward to the BCC with a favorable recommendation.*

## 4B

**043245 Resolution**

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION IN APPLYING FOR FEDERAL FUNDS FROM THE DEPARTMENT OF JUSTICE, OFFICE OF VICTIMS OF CRIME, FY 2004 BJA LAW ENFORCEMENT RESPONSE TO HUMAN TRAFFICKING GRANT TO SUPPORT THE MIAMI-DADE POLICE DEPARTMENT; AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE AND AMEND SUCH CONTRACTS AND AGREEMENTS AS REQUIRED; TO RECEIVE AND EXPEND SAID FUNDS; TO RECEIVE AND EXPEND ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE; AND TO FILE AND EXECUTE ANY NECESSARY AMENDMENTS TO THE APPLICATION (Miami-Dade Police Department)

**Forwarded to BCC with a favorable recommendation**

**Mover: Jordan**

**Seconder: Heyman**

**Vote: 4-0**

**Absent: Souto, Carey-Shuler**

4D

**043352 Resolution**

RESOLUTION AUTHORIZING COMPETITIVE CONTRACT AWARDS WITH AUTHORITY TO EXERCISE OPTIONS TO RENEW ESTABLISHED THEREUNDER, REJECTION OF BIDS, COMPETITIVE CONTRACT MODIFICATIONS AND AUTHORIZING REQUESTS TO ADVERTISE FOR BIDS FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

***3-Day Rule Invoked***

**Report:** *The 3-Day-Rule was invoked upon the foregoing proposed resolution as recommended by Commissioner Seijas.*

**5 COUNTY MANAGER**

5A

**043260 Resolution**

RESOLUTION AUTHORIZING APPROVAL OF A FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT FOR THE OFFICE OF EMERGENCY MANAGEMENT FOR THE METROPOLITAN MEDICAL RESPONSE SYSTEM PROGRAM AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE MODIFICATIONS, ACCEPT AND EXPEND FUNDS, AND TO EXERCISE THE CANCELLATION PROVISION CONTAINED THEREIN (County Manager)

***Forwarded to BCC with a favorable recommendation******Mover: Heyman******Seconder: Rolle******Vote: 4-0******Absent: Souto, Carey-Shuler*****6 COUNTY ATTORNEY****7 CLERK OF THE BOARD**

7A

**043249 Report**

APPROVAL OF COMMISSION MINUTES FOR OCTOBER 12, 2004 (Clerk of the Board)

***Report Received*****8 REPORTS**

8A

**043310 Report**

QUARTERLY REPORT OF POLICE IN-KIND SERVICES  
PERIOD OF JULY 01, 2004 THROUGH SEPTEMBER 30,  
2004

(Miami-Dade Police Department)

***Report Received***

***Mover: Jordan***

***Seconder: Rolle***

***Vote: 4-0***

***Absent: Souto, Carey-Shuler***

**9 ADJOURNMENT**

**Report:** *Having completed consideration of all items on today's agenda, the Public Safety Committee meeting was adjourned at 4:45 P.M.*